

Message Text

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ACTION EUR-12

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FM AMEMBASSY BRUSSELS
TO SECSTATE WASHDC 2126
INFO ALL EC CAPITALS
AMEMBASSY LUSAKA
AMEMBASSY KINSHASA
AMEMBASSY DAR ES SALAAM
AMEMBASSY PRETORIA
AMCONSUL JOHANNESBURG
USMISSION NATO
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USEEC, PARIS ALSO FOR USOECD

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TAGS: PFOR, EEC, XA, BE, ELAB
SUBJ: CODE OF CONDUCT FOR EUROPEAN FIRMS IN SOUTH
AFRICA

REFS: (A) BRUSSELS 12269, (B) BRUSSELS 12401;
(C) BRUSSELS 12714

1. OFFICIALS OF THE INTERNATIONAL CONFEDERATION OF
FREE TRADE UNIONS (ICFTU) HAVE MIXED FEELINGS ABOUT
THE EUROPEAN COMMUNITY'S NEW "CODE OF CONDUCT" FOR
EUROPEAN BUSINESS FIRMS OPERATING IN SOUTH AFRICA
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(REF A). SAYS JOHN VANDERVEKEN, ICFTU ASSISTANT
GENERAL SECRETARY: "IT'S GOOD AS FAR AS IT GOES, BUT
IT DOESN'T GO FAR ENOUGH."

2. AN ICFTU PRESS RELEASE IS MORE NEGATIVE THAN
VANDERVEKEN'S PRIVATE REMARKS QUOTED ABOVE. THE
RELEASE, TITLED "UNIONS DISSATISFIED WITH NEW EEC

CODE," CRITICIZES THE CODE FOR NOT INCLUDING PROVISIONS ON ENFORCEMENT AND ON BANNING OF NEW INVESTMENTS.

3. ICFTU SECRETARIAT MEMBERS PROVIDED ADVICE TO BELGIAN FOREIGN MINISTRY OFFICIALS WHO COORDINATED THE DRAFTING OF THE CODE. VANDERVEKEN, FOR ONE, IS PLEASED WITH THE CODE'S ENDORSEMENT OF FREE TRADE UNIONS FOR AFRICAN WORKERS.

4. BEGIN UNCLASSIFIED

THE FULL TEXT OF THE ICFTU PRESS RELEASE FOLLOWS:
BEGIN TEXT: "THE NEW CODE OF CONDUCT FOR EEC FIRMS OPERATING IN SOUTH AFRICA HAS RECEIVED A LESS THAN WHOLEHEARTED WELCOME FROM THE INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS. ICFTU OFFICIALS FEEL THAT THE CODE, APPROVED BY THE EEC FOREIGN MINISTERS ON 20 SEPTEMBER, REPRESENTS "ENDORSEMENT WITHOUT ENFORCEMENT" OF TRADE UNION VIEWS. WHILE THE EEC TEXT DOES SPECIFY THAT THE COMPANIES CONCERNED SHOULD PUBLISH YEARLY REPORTS ON THEIR IMPLEMENTATION OF THE CODE, AND ALSO PROVIDES FOR ANNUAL GOVERNMENT REVIEWS OF PROGRESS MADE, THE TRADE UNIONS NOTE WITH CONCERN THAT SANCTIONS FOR NON-COMPLIANCE, WHICH THEY HAVE CONSISTENTLY DEMANDED IN THEIR CONSULTATIONS WITH THE EEC, HAVE NOT BEEN INCLUDED. THE UNIONS LIMITED OFFICIAL USE

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ARE ALSO DISAPPOINTED THAT RESTRICTIONS ON NEW INVESTMENT IN SOUTH AFRICA, AS SUGGESTED BY SOME EEC COUNTRIES, HAVE NOT BEEN APPROVED. MOREOVER, IT IS FELT THAT THE CODE IS WRONG IN ITS ATTITUDE TOWARDS THE "WORKS LIAISON COUNCILS" - REGARDED BY THE FREE TRADE UNIONS AS UNREPRESENTATIVE BODIES THROUGH WHICH THE SOUTH AFRICAN GOVERNMENT AND EMPLOYERS ARE SEEKING TO USURP THE FUNCTIONS OF THE COUNTRY'S BLACK UNIONS. OTHER PROVISIONS ARE, HOWEVER, IN LINE WITH THOSE ADVOCATED BY THE INTERNATIONAL FREE TRADE UNION MOVEMENT.

"THE ICFTU WELCOMES THE MINISTERS DECISION TO SEEK A SIMILAR CODE FOR THE OECD, TO WHICH MOST OF THE INDUSTRIALIZED COUNTRIES BELONG. HOWEVER, THE UNIONS BELIEVE THAT THE SITUATION OF BLACK SOUTH AFRICAN WORKERS IS UNLIKELY TO IMPROVE UNLESS STRONG PRESSURE US EXERTED." END TEXT.

5. THE EUROPEAN TRADE UNION CONFEDERATION (ETUC) HAS NOT TAKEN A POSITION ON THE CODE. BECAUSE, IN THE DIVISION OF LABOR BETWEEN THE ETUC AND THE ICFTU, IT

HAS BEENM AGREED THAT SOUTH AFRICAN ISSUES ARE IN THE
ICFTU DOMAIN. HOWEVER, AS INDICATED IN REF B, BELGIAN
FOREIGN MINISTER SIMONET APPARENTLY PLANS TO SOLICIT
THE ETUC'S SUPPORT AND ADVICE IN IMPLEMENTING THE
CODE. HINTON

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